

PTO/SB/64 (10-05) Approved for use through 07/31/2006. OMB 0651-0031

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT **ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

1821.0020001/EKS/FRC First named inventor: Zauderer et al. Art Unit: 1644 Application No.: 09/833,203 Examiner: Vandervegt, Francois P. Filed: April 12, 2001 Title: Targeted Vaccine Delivery Systems Attention: Office of Petitions **Mail Stop Petition** Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 FAX (571) 273-8300 NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282. The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained. APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION NOTE: A grantable petition requires the following items: (1) Petition fee; (2) Reply and/or issue fee; (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and (4) Statement that the entire delay was unintentional. 1.Petition fee $_{\rm X}$ |Small entity-fee \$ $\underline{750.00}$ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27. Other than small entity – fee \$ _____ (37 CFR 1.17(m)) 2. Reply and/or fee A. The reply and/or fee to the above-noted Office action in the form of Supplemental Reply/RCE _____(identify type of reply): has been filed previously on ______. is enclosed herewith. 05/25/2006 SZEWDIE1 00000103 09833203

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750.00 DP

B. The issue fee and publication fee (if applicable) of \$ ____

is enclosed herewith.

has been paid previously on _____

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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3. Terminal disclaimer with disclaimer fee			
X Since this utility/plant application was filed	on or after June 8, 1995, no terminal disclaimer is required.		
A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ for a small entity or \$ for other than a small entity) disclaiming the required period of time is enclosed herewith (see			
PTO/SB/63).	required period of time is enclosed herewith (see		
 STATEMENT: The entire delay in filing the requ filing of a grantable petition under 37 CFR 1.137 Trademark Office may require additional information 	red reply from the due date for the required reply until the (b) was unintentional. [NOTE: The United States Patent and ation if there is a question as to whether either the ler 37 CFR 1.137(b) was unintentional (MPEP 711.03(c),		
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contribute to identity theft. Personal information such numbers (other than a check or credit card authorization the USPTO to support a petition or an application. If this USPTO, petitioners/applicants should consider redacting to the USPTO. Petitioner/applicant is advised that the lof the application (unless a non-publication request in confider patent. Furthermore, the record from an abandon referenced in a published application or an issued patent.	rsonal information in documents filed in a patent application that may as social security numbers, bank account numbers, or credit can form PTO-2038 submitted for payment purposes) is never required by type of personal information is included in documents submitted to the such personal information from the documents before submitting therefore of a patent application is available to the public after publication of a patent application is available to the application) or issuance with 37 CFR 1.213(a) is made in the application) or issuance application may also be available to the public if the application it (see 37 CFR 1.14). Checks and credit card authorization forms PTC in the application file and therefore are not publicly available.		
travel R. Cattelina	May 23, 2006		
Signature	Date		
Frank R. Cottingham	50,437		
Typed or printed name			
Sterne, Kessler, Goldstein & Fox P.L.L.	C. (202) 371-2600		
Address 1100 New York Avenue, N.W. Washington, DC 20005-3934	Telephone Number		
Address Foo Poyment			
Enclosures: X Fee Payment			
X Reply			
Terminal Disclaimer Form			
Additional sheets containing sta	tements establishing unintentional delay		
X Other: RCE Transmittal, copy of	Notice of Improper Request for Continued Examination (RCE)		
CERTIFICATE OF MAIL!	NG OR TRANSMISSION [37 CFR 1.8(a)]		
I hereby certify that this correspondence is being	ng:		
	stal Service on the date shown below with sufficient elope addressed to: Mail Stop Petition, Commissioner for		
Patents, P. O. Box 1450, Alexandria	· · · · · · · · · · · · · · · · · · ·		
Transmitted by facsimile on the date Office as (571) 273-8300.	shown below to the United States Patent and Trademark		
Date	Signature		
	Typed or printed name of paragraphing continues		
	Typed or printed name of person signing certificate		
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United States Patent and Trademark Office

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Alexandria, VA 22313-1450 APPLICATION NUMBER **FILING DATE** FIRST NAMED APPLICANT ATTY. DOCKET NO./TITLE DATE MAILED: NOTICE OF IMPROPER REQUEST FOR CONTINUED EXAMINATION (RCE) The request for continued examination (RCE) under 37 CFR 1.114 filed on 04.26.06 improper for reason(s) indicated below: 1. Continued examination under 37 CFR 1.114 does not apply to an application for a design patent. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA under 37 CFR 1.53(d). An RCE cannot be treated as a CPA. 2. Continued examination under 37 CFR 1.114 does not apply to an application that was filed before June 8, 1995. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b). 3. Continued examination under 37 CFR 1.114 does not apply to an application unless prosecution in the application is closed. If the RCE was accompanied by a reply to a non-final Office action, the reply will be entered and considered under 37 CFR 1.111. If the RCE was not accompanied by a reply, the time period set forth in the last Office action continues to run from the mailing date of that action. 4. The request was not filed before payment of the issue fee, and no petition under 37 CFR 1.313 was granted. If this application has not yet issued as a patent, applicant may wish to consider filing either a petition under 37 CFR 1.313 to withdraw this application from issue, or a continuing application under 37 CFR 1.53(b). 5. The request was not filed before abandonment of the application. The application was abandoned, or proceedings terminated on ______. Applicant may wish to consider filing a petition under 37 CFR 1.137 to revive this abandoned application.

6. The request was not accompanied by the fee set forth in 37 CFR 1.17(e) as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.

The request was not accompanied by a submission as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.

Note: A continued prosecution application (CPA) under 37 CFR 1.53(d) cannot be filed in a utility or plant application. A CPA filed in a utility or plant application that has a filing date on or after June 8, 1995 will ation, however, has

be treated been trea	ated as an improper RCE for the reas	ne request for a son(s) indicated a	i CPA in the instant applica above.
	A copy of this notice N	<u>//UST</u> be retu	rned with any reply.
Direct the	reply and any questions concerning this	notice to:	1600
(7)2)30_	571 272.0522		*
FORM PTO	0-2051 (Rev. 7/2003)		